

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MIGDALIA AMALBERT GARCIA
et al.,

Plaintiffs,

v.

K-MART CORPORATION

Defendant.

CIVIL NO. 98-1478 (RHA)

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U.S. DISTRICT COURT
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**ORDER DENYING DEFENDANT'S MOTION
FOR DISQUALIFICATION OF EXPERTS**

The Court carefully considered the arguments in defendant's motion requesting disqualification of the medical expert witnesses in this case, or, in the alternative, the withdrawal of its own medical expert due to an alleged conversation between them. The Court finds that the alleged communication is not conduct so improper as to merit the disqualification of either witness. Similarly, we find no justification in defendants' motion that warrants the withdrawal of its own expert medical witness, DR. JOSE SUAREZ CASTRO, at this stage of the proceedings.

Counsel is reminded that the expert witness' role is to assist the trier of fact in the search for the truth, not to accommodate his/her opinion to fit the trial strategy of the party paying for his/her services.

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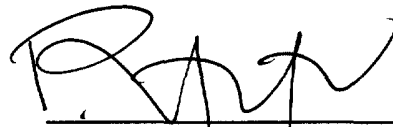
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Accordingly, KMART'S Urgent Motion Requesting Disqualification of... Medical Expert Witnesses... (docket No. 61, filed on March 1, 2000) is hereby DENIED.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 16th day of March, 2000.



RAYMOND L. ACOSTA
United States District Judge